



STATE OF UTAH
NATURAL RESOURCES
Wildlife Resources

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*orig memo file
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April 20, 1988

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DIVISION OF
OIL, GAS & MINING

Dr. Dianne R. Nielson, Director
Utah Division of Oil, Gas & Mining
355 West North Temple
3 Triad Center, Suite 350
Salt Lake City, UT 84180-1203

Attn: Susan Linner

Dear Dianne:

The Division has evaluated Genwal Coal Company's five year permit renewal for a Mine and Reclamation Plan (MRP) at their Crandall Canyon Mine. The following is offered for your consideration.

Page 3-14 (3.3.2.2), Protection of Surface Structures and Streams; and Page 2-23 (3.4.6.1), Projected Impacts on Fish and Wildlife - The MRP is in substantial error regarding fisheries and must be corrected. Crandall Creek, which flows immediately adjacent to the entire length of the permit area (note, it flows through the 1.7 acre parcel leased from Beaver Coal Company), is a high priority valued Class III fishery. This stream supports natural reproduction of 278 cutthroat trout per mile with a standing trout biomass of 53 lb./surface acre.

Pages 3-18 and 19 (3.3.9.1), Underground Development Waste - The underground storage of waste should be done in such a manner that it will not be exposed to water. Experience with other coal mines has shown this to be a problem when the water ultimately surfaces and is laden with suspended sediments or undesirable dissolved solids.

Pages 3-20 (3.3.9.3), Sediment Pond Waste - The MRP is not clear concerning the final disposition of sediment pond waste once it is dried. There is concern that it be appropriately disposed to safeguard Crandall Creek's biological community. If there is intent to utilize a local land fill, the MRP should be made to be specific for that intent.

Page 3-24 (3.4.6.2), Mitigating Measures to be Employed to Protect Fish and Wildlife - Paragraphs concerning elk, mule deer and moose are in substantial error. Appropriate data was provided to the company in March of 1981. (Reference file memo dated March 10, 1981 from John Livesay to Bill Wollen.) This data included maps for seasonal distributions of all big game (including moose) associated with the project.

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Page 3-25 (3.4.6.2), paragraph 1; Page 7-34 - All springs and seeps are considered to be of significant and critical value to the local area's wildlife. If flows at such are reduced on a daily basis by 50% or more due to mining, a substantial impact will result necessitating mitigation. The MRP is not explicitly clear on this issue. The file letter from the Division to Andy King (3-10-86) should assist DOGM in evaluating this comment.

Page 3-27 (3.5) Reclamation Plan; and Page 3-35 (3.5.5.2), Seeding and Transplanting - The 6.65 acres identified as total disturbance is not in agreement with the 5.75 acres on page 3-11. Also, it seems that a text adjustment is necessary to fully explain 5.15 acres needing treatment at final reclamation, 6.65 acres of proposed disturbance and a total disturbed area of 5.75 acres.

Page 4-6 (4.4.2.) Land Use, first paragraph - The use of wildlife on the permit area is not limited to just big game animals. As many as 239 different species of vertebrate wildlife have potential to utilize the environs associated with the project. Relative biological value of seasonal use areas has earlier (3-10-81) been identified to the company.

Chapters 9 and 10 are redundant to the extent that the "Terrestrial Wildlife and Habitat" report (pages 40-66) prepared by Valley Engineering is presented in each chapter. Pages 40-66 of that report in chapter 9 should be eliminated from the MRP. Also, note that all comments within the MRP relative to fish are inaccurate and need to be corrected.

Page 10-3 (10.3) Existing Fish and Wildlife Resources; and Page 10-6 (12.4) Expected Impacts of Mining on Fish and Wildlife - Crandall Creek supports a substantial fishery. Refer to comments provided for page 3-14 (3.3.2.2) and page 3-23 (3.4.6.1). The applicant was made aware of this as early as May, 1981 in the U.S. Forest Service's environmental assessment report for the Huntington River bridge crossing and Crandall Canyon road.

Page 10-5 (10.3.3) Species of Special Significance - Numerous raptor surveys have been conducted in the Crandall and Huntington Canyon areas since 1980. At least one nest is known in the SESW Sec. 32 on the permit area. The applicant needs to incorporate appropriate map data and narrative within the MRP concerning raptor nests. Such is available from the Division of Wildlife Resources. Also, the applicant must evaluate the potential impact of subsidence on raptors (pages 3-26 and 4-8).

Page 10-8 and 10-9 (10.6) Stream Buffer Zone - The MRP is unclear relative to the proposed activity that could affect Crandall Creek. During 1981, the company did discuss culvert placement in 1,000 linear feet of the stream. Such a culvert would destroy any fishery values within its length as well as critical valued riparian habitat. If such action is still planned,

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discussions for impact avoidance and mitigation planning would be required. A specific plan with mitigation needs to be part of the MRP.

Item 10-2, Aquatic Resources of Crandall Canyon - This report was prepared many years ago and does not accurately reflect the current state of knowledge for Crandall Creek's fishery. Reference comments for page 3-14, 3-23 and 10-3.

Chapter 10 (Item 10-3) Page 43 of "Terrestrial Wildlife and Habitat Report" - Comments relative to bald eagles are in substantial error. Appropriate information was provided to the applicant 3-10-81. Bald eagles during the winter season are regularly observed in the Huntington Canyon area and would be expected to utilize the environs of Crandall Canyon.

Chapter 10 (Item 10-3) Page 46 of "Terrestrial Wildlife and Habitat Report" - The Williamson's sapsucker has been documented to utilize (nest) the environs of the Huntington drainage typical to those found in Crandall Canyon. The applicant must appropriately correct the MRP.

Chapter 10 (Item 10-3) Pages 49, 55 and 56 of "Terrestrial Wildlife and Habitat Report" - All amphibians and reptiles in Utah are protected species. Six amphibian and eighteen reptilian species have potential to inhabit the project area. This data was provided to the applicant 3-10-81. The MRP needs to be appropriately corrected. Similar statements can be made for birds and mammals.

Page 12-10, last paragraph, and Page 12-11 - The Earthfax report concerning use of seeps and springs by big game is not acceptable. Their survey relative to deer and elk use was cursory and represented only one visit to a seep or spring. A comprehensive survey making inspections multiple times during the year would be needed to provide a reasonable assumption concerning deer and elk use. Comments provided for pages 3-25, 7-34 and 7-36 answer this question. Reference to wildlife as per the Earthfax report should be eliminated.

Chapter 12 - Subsidence as it relates to raptor nests is not addressed by the MRP.

Thank you for an opportunity to review and provide comment.

Sincerely,


William H. Geer
Director

Acting Director